

SENATE BILL 2748

By Henry

AN ACT to amend Tennessee Code Annotated, Title 35
and Title 45, relative to authorized investments by
fiduciaries.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 35-3-103, is amended by deleting subsection (b) in its entirety and by substituting instead the following language:

(b) In the absence of an express provision to the contrary, if an indenture or other governing instrument directs, requires, authorizes or permits investment in United States government obligations, a bank, trust company, trust department or other fiduciary may invest in the obligations, either directly or in the form of securities or other interests in any open end or closed end management type investment company or investment trust registered under the federal "Investment Company Act of 1940," 15 U.S.C. section 80(a)-1 et seq., if the portfolio of such investment company or investment trust is limited to United States government obligations, and to repurchase agreements fully collateralized by such obligations and if any such investment company or investment trust actually takes delivery of such collateral, either directly or through an authorized custodian.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.